

105TH CONGRESS
1ST SESSION

S. 798

To establish a Commission on Information Technology Worker Shortage.

IN THE SENATE OF THE UNITED STATES

MAY 22, 1997

Mr. WARNER introduced the following bill; which was read twice and referred
to the Committee on Labor and Human Resources

A BILL

To establish a Commission on Information Technology
Worker Shortage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Information Tech-
5 nology Worker Shortage Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) information technology is one of the fastest
9 growing areas in the United States economy;

10 (2) the United States is a world leader in the
11 information technology industry;

1 (3) the continued growth and prosperity of the
2 information technology industry is important to the
3 continued prosperity of the United States economy;

4 (4) an adequate supply of information tech-
5 nology workers is essential for the success of infor-
6 mation technology and other business entities that
7 use information technology;

8 (5) as of the date of enactment of this Act,
9 there is a shortage of information technology work-
10 ers; and

11 (6) in the absence of a concerted effort by busi-
12 ness entities, the Federal Government, the govern-
13 ments of States and political subdivisions thereof,
14 and educational institutions, the shortage of infor-
15 mation technology workers will continue to be a
16 problem.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) BUSINESS ENTITY.—The term “business
20 entity” means a firm, corporation, association, part-
21 nership, consortium, joint venture, or other form of
22 enterprise.

23 (2) COMMISSION.—The term “Commission”
24 means the Information Technology Worker Shortage
25 Commission established under section 4.

1 (3) INFORMATION TECHNOLOGY.—The term
 2 “information technology” has the meaning given
 3 that term in section 5002 of the Information Tech-
 4 nology Management Reform Act of 1996 (110 Stat.
 5 679).

6 (4) STATE.—The term “State” means each of
 7 the several States of the United States and the Dis-
 8 trict of Columbia.

9 **SEC. 4. ESTABLISHMENT OF INFORMATION TECHNOLOGY**
 10 **COMMISSION.**

11 (a) ESTABLISHMENT.—There is established a com-
 12 mission to be known as the Information Technology Work-
 13 er Shortage Commission.

14 (b) MEMBERSHIP.—

15 (1) COMPOSITION.—

16 (A) IN GENERAL.—The Commission shall
 17 be composed of 21 members, of which—

18 (i) 7 members shall be appointed by
 19 the President;

20 (ii) 7 members shall be appointed by
 21 the Majority Leader of the Senate; and

22 (iii) 7 members shall be appointed by
 23 the Speaker of the House of Representa-
 24 tives.

1 (B) GOVERNMENTAL REPRESENTA-
 2 TIVES.—Of the members appointed under this
 3 subsection—

4 (i) 1 member shall be an officer or
 5 employee of the Department of Labor, who
 6 shall be appointed by the President;

7 (ii) 1 member shall be an officer or
 8 employee of the Department of Education,
 9 who shall be appointed by the President;
 10 and

11 (iii) 2 members shall be representa-
 12 tives of the governments of States and po-
 13 litical subdivisions thereof.

14 (C) EDUCATORS.—Of the members ap-
 15 pointed under this subsection, 6 shall be edu-
 16 cators who are selected from among elementary,
 17 secondary, vocational, and postsecondary edu-
 18 cators.

19 (D) BUSINESS REPRESENTATIVES.—Of the
 20 members appointed under this subsection, at
 21 least 4 shall be individuals who are employed in
 22 information technology business entities of a
 23 size that is small or average for that type of
 24 business entity (as determined by the appro-

1 priate appointing authority under this sub-
2 section).

3 (2) DATE.—The appointments of the members
4 of the Commission shall be made by the later of—

5 (A) September 1, 1997; or

6 (B) the date that is 30 days after the date
7 of enactment of this Act.

8 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
9 bers shall be appointed for the life of the Commission. Any
10 vacancy in the Commission shall not affect its powers, but
11 shall be filled in the same manner as the original appoint-
12 ment.

13 (d) INITIAL MEETING.—No later than 30 days after
14 the date on which all members of the Commission have
15 been appointed, the Commission shall hold its first meet-
16 ing.

17 (e) MEETINGS.—The Commission shall meet at the
18 call of the Chairperson.

19 (f) QUORUM.—A majority of the members of the
20 Commission shall constitute a quorum, but a lesser num-
21 ber of members may hold hearings.

22 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
23 Commission shall select a chairperson and vice chair-
24 person from among its members.

1 **SEC. 5. DUTIES OF THE COMMISSION.**

2 (a) STUDY.—

3 (1) IN GENERAL.—The Commission shall con-
4 duct a thorough study of all matters relating to the
5 shortage of information technology workers in the
6 United States.

7 (2) MATTERS STUDIED.—The matters studied
8 by the Commission shall include an examination
9 of—

10 (A) the causes of the shortage of informa-
11 tion technology workers in the United States;

12 (B) possible solutions to address the short-
13 age referred to in subparagraph (A); and

14 (C) the relative efficacy of programs in the
15 United States and foreign countries to provide
16 for an increase in the number of information
17 technology workers, with special emphasis on
18 programs that provide for secondary education
19 or postsecondary education in a program other
20 than a 4-year baccalaureate program (including
21 associate degree programs and graduate degree
22 programs).

23 (3) PUBLIC HEARINGS.—As part of the study
24 conducted under this subsection, the Commission
25 shall hold public hearings in each region of the Unit-

1 ed States concerning the issues referred to in sub-
2 paragraphs (A) and (B) of paragraph (2).

3 (4) EXISTING INFORMATION.—To the extent
4 practicable, in carrying out the study under this sub-
5 section, the Commission shall identify and use exist-
6 ing information related to the issues referred to in
7 subparagraphs (A) and (B) of paragraph (2).

8 (5) CONSULTATION WITH CHIEF INFORMATION
9 OFFICERS COUNCIL.—In carrying out the study
10 under this subsection, the Commission shall consult
11 with the Chief Information Officers Council estab-
12 lished under Executive Order No. 13011.

13 (b) REPORT.—Not later than July 1, 1998, the Com-
14 mission shall submit a report to the President and the
15 Congress which shall contain a detailed statement of the
16 findings and conclusions of the Commission, together with
17 its recommendations for such legislation and administra-
18 tive actions as it considers appropriate.

19 (c) FACILITATION OF EXCHANGE OF INFORMA-
20 TION.—In carrying out the study under subsection (a), the
21 Commission shall, to the extent practicable, facilitate the
22 exchange of information concerning the issues that are the
23 subject of the study among—

1 (1) officials of the Federal Government and the
2 governments of States and political subdivisions
3 thereof; and

4 (2) educators from Federal, State, and local in-
5 stitutions of higher education and secondary schools.

6 **SEC. 6. POWERS OF THE COMMISSION.**

7 (a) HEARINGS.—The Commission may hold such
8 hearings, sit and act at such times and places, take such
9 testimony, and receive such evidence as the Commission
10 considers advisable to carry out the purposes of this Act.

11 (b) INFORMATION FROM FEDERAL AGENCIES.—The
12 Commission may secure directly from any Federal depart-
13 ment or agency such information as the Commission con-
14 siders necessary to carry out the provisions of this Act.
15 Upon request of the Chairperson of the Commission, the
16 head of such department or agency shall furnish such in-
17 formation to the Commission.

18 (c) POSTAL SERVICES.—The Commission may use
19 the United States mails in the same manner and under
20 the same conditions as other departments and agencies of
21 the Federal Government.

22 (d) GIFTS.—The Commission may accept, use, and
23 dispose of gifts or donations of services or property.

1 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—Except as pro-
3 vided in subsection (b), each member of the Commission
4 who is not an officer or employee of the Federal Govern-
5 ment shall serve without compensation. All members of the
6 Commission who are officers or employees of the United
7 States shall serve without compensation in addition to that
8 received for their services as officers or employees of the
9 United States.

10 (b) TRAVEL EXPENSES.—The members of the Com-
11 mission shall be allowed travel expenses, including per
12 diem in lieu of subsistence, at rates authorized for employ-
13 ees of agencies under subchapter I of chapter 57 of title
14 5, United States Code, while away from their homes or
15 regular places of business in the performance of services
16 for the Commission.

17 (c) STAFF.—

18 (1) IN GENERAL.—The Chairperson of the
19 Commission may, without regard to the civil service
20 laws and regulations, appoint and terminate an execu-
21 tive director and such other additional personnel as
22 may be necessary to enable the Commission to per-
23 form its duties. The employment of an executive di-
24 rector shall be subject to confirmation by the Com-
25 mission.

1 (2) COMPENSATION.—The Chairperson of the
2 Commission may fix the compensation of the execu-
3 tive director and other personnel without regard to
4 the provisions of chapter 51 and subchapter III of
5 chapter 53 of title 5, United States Code, relating
6 to classification of positions and General Schedule
7 pay rates, except that the rate of pay for the execu-
8 tive director and other personnel may not exceed the
9 rate payable for level V of the Executive Schedule
10 under section 5316 of such title.

11 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
12 Federal Government employee may be detailed to the
13 Commission without reimbursement, and such detail shall
14 be without interruption or loss of civil service status or
15 privilege.

16 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
17 TENT SERVICES.—The Chairperson of the Commission
18 may procure temporary and intermittent services under
19 section 3109(b) of title 5, United States Code, at rates
20 for individuals which do not exceed the daily equivalent
21 of the annual rate of basic pay prescribed for level V of
22 the Executive Schedule under section 5316 of such title.

1 **SEC. 8. TERMINATION OF THE COMMISSION.**

2 The Commission shall terminate on the date that is
3 90 days after the date on which the Commission submits
4 its report under section 5(b).

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
7 priated \$750,000 for fiscal year 1998 to the Commission
8 to carry out the purposes of this Act.

9 (b) AVAILABILITY.—Any sums appropriated under
10 the authorization contained in this section shall remain
11 available, without fiscal year limitation, until expended.

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